

Assassination In Havana

Havana, Sept. 1.—A group in a speeding car today assassinated Juan Arevalo, 52, veteran Cuban anti-Communist labour leader, as he stood on a corner in suburban Lawton waiting for a street car.

A hail of bullets killed Senor Arevalo. A student was also injured in the melee. The assassins escaped.

Senor Arevalo had returned only recently from New York City, where he was invited by the Congress of Industrial Organizations to discuss Latin-American labour problems. He also conferred with American Federation of Labour leaders in Washington.

A native of Spain, Senor Arevalo had long been an organizer for the AFL in Cuba and in Latin America generally.—United Press.

Typhoon Brings Loss Of Life

Luzon Destruction

Manila, Sept. 2.—At least five persons were killed and damage to public works and crops was estimated in millions of pesos as a result of torrential rains and floods brought by the typhoon Gertrude, which cut across North Central Luzon from the Pacific Coast, north-west of the China Sea.

One person was drowned in Manila's Pasig River, while reports from Iloilo said three students—including two co-eds—were drowned when their jeep plunged into a river in heavy rain. One person was killed in Baguio and 23 injured when a truck carrying a group of labourers plunged over a precipice.

It is feared the casualties will mount when reports come in from the provinces after disrupted communications are restored.

MANILA UNDER WATER

At least two-thirds of the Manila area is under water and numerous offices, schools and shops have been forced to close.

Thousands of employees and workers wanted to work this morning as flooded streets stalled vehicles and snarled transports in many places. In the district of Manila, the water reached 1½ metres high.

Mayor Manuel de la Fuente estimated damage to city streets at more than 1,000,000 pesos. The Metropolitan Water District said the dyke protecting the pumping station at Cubao, just outside northeast Manila, gave way, disrupting water service to surrounding areas.

Government weather men at Manila International Airport yesterday recorded 4.58 inches of rain, one of the highest marks in many seasons.—United Press.

EDITORIAL

The Tension Eases

THE hard bargaining talks which have been going on for so long in Moscow give welcome signs of bearing fruit, inasmuch that, acting on instructions from the Soviet capital, the four allied commanders in Berlin have met again to discuss the two vital questions in the Berlin crisis—the lifting of the Soviet blockade and the institution of a single currency. These are the two obvious issues at stake, but it is unlikely that Mr Stalin and his colleagues consider the surrender of the western mark as sufficient quid pro quo for raising the Berlin blockade. What the world awaits now is some indication as to the full extent of future negotiations to which the Western Allies and Russia have committed themselves. While the Berlin dispute is of tremendous importance there is no understanding difference concerning Germany of far greater magnitude. Unification is the ultimate problem to be solved and all other issues lead up to that. Wherefore, while the discussions between the Berlin commanders are certain to be spiced with the perennial desire to know what other channels the Allied envoys and the Kremlin are pursuing, sticking in Stalin's throat, of course, is the creation of the Western Union, the existence of which the Russian generalissimo probably regards as a gross piece of effrontery. The Union could

COWIE LOSES LEGAL ARGUMENT

Estopped From Saying He Was Not Guilty Of Misconduct

In a written judgment in the Cowie case delivered in the Supreme Court this morning, Mr Justice Gould (Acting Puisne Judge) said that in his view of the law he held that William Henry Cowie, ex-Sub-Inspector of the Hongkong Police, was estopped from saying that he was not guilty of misconduct. The judgment concerned a legal issue in a claim for damages brought by Cowie against the Hongkong Government for alleged breach of contract for wrongful dismissal.

BENES STILL UNCONSCIOUS

Prague, Sept. 1.—Former President Edvard Benes was still unconscious tonight and his condition was still "extremely serious" despite several small improvements, his doctors said in a bulletin.

His temperature had dropped to normal but his blood pressure was being kept up "only by the medical efforts," the bulletin said.

The doctors' statement said that the improvements noted bore no promise of any general improvement. Dr Benes has been unconscious since Tuesday morning at his country home at Sezimovo Usti and his death is expected at any moment. He suffers from hardening of the arteries.—Associated Press.

The Ruttonjees In Paris

Paris, Sept. 1.—Mr J. H. Ruttonjee, the well-known Hongkong merchant and prominent member of the Indian community in the city, has arrived in Paris for a 10-day business and pleasure stay, accompanied by Mrs J. H. Ruttonjee, their son, Mr Dhun Ruttonjee, the Hongkong exporter, and Mrs Dhun Ruttonjee.

The party, who have been 12 days in Italy, 10 days in Switzerland and a week on the Riviera, will leave Paris for London on September 10, where they will spend a fortnight before returning to the Far East.—Reuter.

After judgment had been delivered, it was agreed that an argument in connection with the present case as to whether it would be open to Cowie to raise in this action the question of breaches of natural justice occurring in the proceedings before the Board of Enquiry, be heard on September 14, 15 and 20.

Giving Judgment, Mr Justice Gould said:

The plaintiff was employed by the Government of Hongkong as a Sub-Inspector of Police under an agreement dated the 21st day of December, 1946, which contained (inter alia) a provision that he would obey the provisions of the Police Force Ordinance, 1932 and any Ordinance amending or substituting for the same and all rules, regulations and orders made thereunder. There was a further provision without prejudice to statutory powers that the Government might dismiss him if he should in any manner misconduct himself.

In the year 1947 the plaintiff's conduct being in question, a Board of Enquiry was appointed under disciplinary regulations made pursuant to Section 12 of the Police Force Ordinance, 1932. A charge was preferred before the Board and the finding of the Board was duly forwarded to the Commissioner of Police and by him to His Excellency the Governor. On the 27th day of August, 1947, in view of the finding the plaintiff was dismissed under Section 16 of the Police Force Ordinance, 1932. He has brought the present action for damages for wrongful dismissal naming the Attorney General as defendant pursuant to Section 479 (1) of the Code of Civil Procedure.

POINT OF LAW

Paragraph 7 of the Statement of Claim reads: "On 12th August, 1947 the Plaintiff was held by a Departmental Board of Enquiry to have committed the offence of misconduct calculated to bring the public service into disrepute by whilst on duty receiving \$50 from Chan Yu-long, a person with whom he had come into contact in the course of his duty." The plaintiff denies that he committed the offence alleged and claims that he was not guilty of misconduct.

The point of law raised by Paragraph 4 of the Statement of Defence was set down for argument before the Board of Enquiry for the purpose of the argument that the proceedings of the Board of Enquiry were regularly conducted in accordance with the regulations. I will not set out the letter in extenso but they contain provision for (a) Framing of a charge or charges; (b) Appointment of an officer to present the prosecution case; (c) Defendant to present his own case or be represented by another Inspector as counsel; (d) Right of appeal to the Commissioner against composition of the Board; (e) Delivery of charge to defendant and answer by him to records; (f) Plea of guilty or not guilty to charge; (g) Taking and recording evidence on both sides and cross-examination of defendant; (h) Recording of findings on the charge which findings must be forwarded to the Commissioner.

PECULIARLY FRAMED

It is then provided that "The Commissioner will either make his award or forward the proceedings with his recommendation to the Governor through the Colonial Secretary." The short question argued before me is whether the finding of a quasi-judicial tribunal is sufficient to estop the plaintiff from now saying that he was not guilty of conduct calculated to bring the public service into disrepute. The charge as framed is, to say the least, peculiar —

conduct calculated to bring the public service into disrepute by whilst on duty receiving \$50 from Chan Yu-long, a person with whom he had come into contact in the course of his duty. ... If the \$50 was, for example, the return of a loan made by the plaintiff to Chan Yu-long, its acceptance while on duty could not be said to be calculated to bring the public service into disrepute. I think however that the charge proper must be deemed to be "conduct calculated to bring the public service into disrepute" and that the remaining words were designed to bring to the plaintiff's mind the incident to be relied upon so as to prevent surprise.

It is a necessary implication of the finding as a whole that the circumstances of the receipt of the \$50 were held by the Board to be such as to bring the public service into disrepute. The plaintiff in this action has now in his statement of claim pleaded that he was not guilty of conduct calculated to bring the public service into disrepute and that the defendant has pleaded the opposite. That question is therefore in issue and the defendant claims that it is res judicata.

RES JUDICATA

The essentials of a valid plea of res judicata are set out in Spencer Bower on Res Judicata at page 9. They are (i) that the alleged judicial decision was what in law is deemed such; (ii) that the particular judicial decision which is alleged to be res judicata, is in fact pronounced, as alleged; (iii) that the judicial tribunal pronouncing the decision was competent to do so; (iv) that the judicial decision was final; (v) that the determination of the question as to whether the plaintiff was guilty of misconduct was not a question as to which the plaintiff was entitled to be heard in the proceedings in which the decision was pronounced; and (vi) that the parties to the judicial decision, or their privies, were the same persons as the parties to the proceedings in which the decision is alleged to be res judicata. Of these (i) to (iv) are admitted by Paragraph 7 of the Statement of Claim and it is agreed that the Board's finding was sent to the Plaintiff with the order of dismissal. That the Board had jurisdiction to make its decision has not been disputed. It was constituted under Regulations having the force of law for the purpose of just such enquiry as was held; the plaintiff was subject to the Regulations from his very position as a Sub-Inspector of the Police Force and by his contract. Counsel did argue that the Board had no jurisdiction to reach a final judgment but that is another matter.

IDENTITY OF PARTIES

The last point identity of parties, although argued by counsel for the plaintiff in his opinion perfectly clear. The plaintiff was a party in each case and the opposite party in each case was the Crown. The interest of the Crown in the proceedings against the plaintiff was that of his employer and it is in the capacity of an employer that the Crown, as alleged in the present proceedings, has committed a wrongful act. The Crown must essentially act through agents in all matters and it is not material that those agents differ in the two proceedings. The question of finality (No. iv above) can also be disposed of briefly. The Board considered the whole of the matter referred to it and gave a decision which was not in any way conditional or temporary. It was complete and certain and in no way subject to rescission review or modification by the Board. It was the decision of the matter in question before the Board and was in form to be acted upon. Finally from the point of view that

Princess And Marquis



Princess Margaret Rose walks with the 22-year-old Marquis of Blandford at Ascot race track. Their names have been linked romantically. The Marquis is the son of the Duke of Marlborough.

LI CHAI-SUM PROMISED HONGKONG ASYLUM

SO LONG AS HE BEHAVES HIMSELF

Washington, Sept. 2.—A British Embassy spokesman said today that Marshal Li Chai-sum, leader of the "Revolutionary Kuomintang Committee," which is advocating the overthrow of the Chiang Kai-shek government, will have an asylum in Hongkong as a political refugee unless he begins organising a military revolutionary force or makes some other move which could be interpreted as a "menace to amicable relations with China."

The spokesman said Marshal Li's situation is analogous to that of Czech refugees in England. He said the providing of sanctuary to political refugees is "traditional" British practice.

The spokesman said the only outstanding point of disagreement between the British and Chinese governments in negotiations for a regulation of trade between Hongkong and the mainland concerns the ownership of the reclaimed land on Kowloon Peninsula. He said the British claimed land from the sea and made numerous improvements, including an airport, but the Chinese maintain that it is Chinese soil, because it is on China's mainland.

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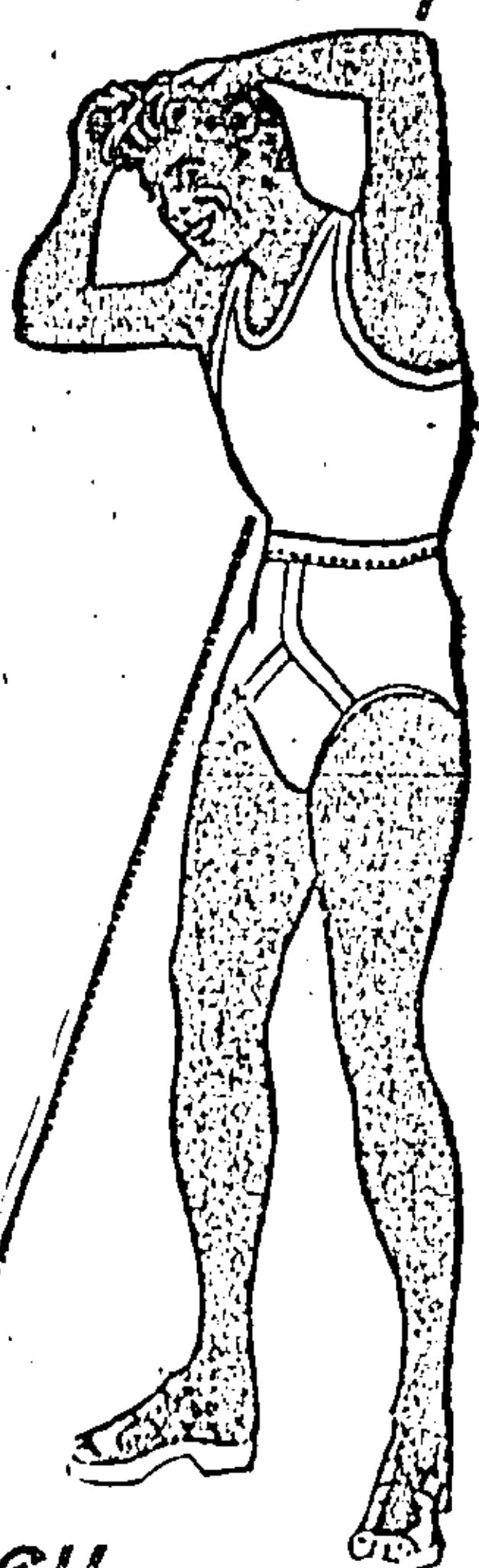
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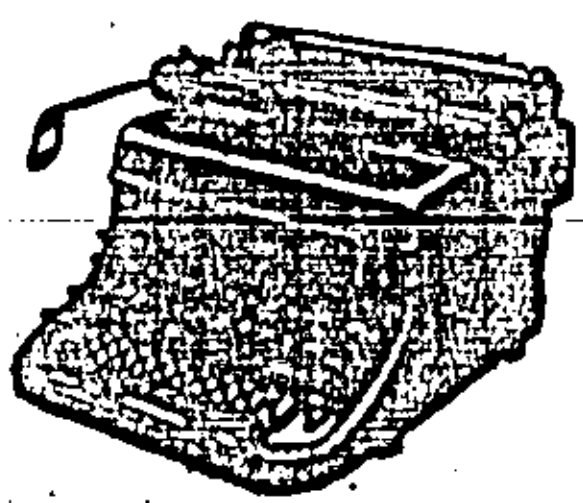
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WOMANSENSE

CLOTHES COLUMN . . . by PATRICIA LENNARD

WOMEN take fashion tips from MEN

DELIBERATELY over-emphasised, decidedly casual, are the latest man-borrowed women's fashions. Waistcoats, trouser-turn-up hemlines, "evening dress" trousers, even a suit.

Outfit (1), a scarlet corduroy waistcoat, by Brenner Sports, is worn with a broadly checked, puffed, skirt which is not divided; the centre inverted pleat and all-round trouser-turn-up hemline give the rakish effect.

The suit (2) is built for comfort. It is made of grey flannel, checked windowpane-wise in wine. The jacket is lined with wine corduroy, which also faces the revers.

Spectator Sports suggest at (3) a Dandy jacket in vivid emerald green wool, nipped into the waist with round gold bobble-buttons. With this jacket are worn black "evening dress" trousers. Pleated into the waist, they have black silk braid down the side seams, narrow to a close finish.

Faintly Regency is the striped waistcoat (4). Sleeveless and double-breasted, it is made of satin, handsomely striped in green and white.



Sketches by SIGRID

Fish Study Traces Vitamins At Ocean Source

ASTORIA, Ore.—A five-year study of 50 species of North Pacific fish shows that fish before mating have a larger vitamin content in the liver.

The study, conducted by Russell O. Sinnhuber and D. K. Law, biochemists of the Seafoods Laboratory of Oregon State College, also found that livers of male fishes had more vitamin value than the female.

Furthermore, it showed that the mature fish had more vitamin than the younger ones but after a fish mated, there was a reduction in the vitamin content.

The survey is considered of considerable value in regularizing the supply source of the natural vitamins demanded by the medical profession.

Between the lines of statistics also is traced a part of the story of the great American vitamin age that brought a bonanza to North Pacific fishermen as the war started.

Up to \$12 a Pound

The loss of the Norwegian supply of vitamin oils and the heavy demands of American doctors for higher concentrates shot the price of good livers up to \$12 a pound.

Ordinary fishermen frequently brought in a \$10,000 catch after a night of lucky fishing. The livers of soupfin sharks literally were almost worth their weight in gold. Fishermen risked their lives to land the huge sharks into tiny trolling boats while fortune hunters from inland cities arrived in the northwest to build strange boats that refused to float upright.

The "assayer" in this mad rush for "liver gold" was the biochemist. The fisherman did not always understand the scientists' retorts, bunsen burners and good crucibles. "How come," he would say, pointing to a pile of livers taken by a rival, "that his are worth \$12 a pound and mine 75 cents?"

"Devil Stick" Used

All his life the fisherman had measured his day's work by size, colour and weight.

The biochemist read his answers off the slide rule, a "devil stick" whose readings could mean a fortune or a pitance.

Had the Sinnhuber-Law survey been available during the early days of the rush, it would have been worth more than a map of Lucas' hidden gold and a lot easier to read.

But while the Astorians were investigating hundreds of tons of livers and checking virtually every important commercial fish in the North Pacific, another group of scientists were pricking at the bubble in an effort to synthesise vitamin A.

Their success with A and later with D took the fortune out of "livering," although fishermen still get substantial prices for the natural products.

GETTING BACK HER FIGURE IN A MONTH

By PATRICIA CLARY

HOLLYWOOD — Betty Hutton claims she's found a foolproof system for getting her figure back within a month after the birth of her second child.

"I'll work for any mother, Miss Hutton says enthusiastically. Any mother, that is, who can afford to order a whole new post-maternity wardrobe.

"I carried my over-pounding around for months after my first baby, Lindsay, was born," Miss Hutton said. "I gained a lot of weight waiting for her to come along, and it took me four months to get rid of it before I started 'Dream Girl'."

"I was just lazy. I didn't take my dieting and exercising seriously." But the Paramount star swears she'll have her figure back soon.

Clothes Ordered

"I went back to New York and saw Sophie's entire summer line," Miss Hutton explained. "Then I ordered 17 custom-made outfits with

complete accessories, and sent her my dressmaker form.

"The form was made a year ago, before I even had any idea about another baby. All my outfits are being made to those old measurements, and I'll have to be back to them in time for my first fittings."

The dummy's measurements are bust 35½, waist 24, and hips 35½. Like any woman, Miss Hutton is close to foaming at the mouth to get into those beautiful clothes.

"I'd have to be nuts," she declared, "not to get my figure back so I can wear 'em. I already have my doctor working on the diet and exercises."

"Just watch my steam! I'll be wearing those clothes by Mother's Day, and I hope my kids will think their momma is a real dream girl."

Late Summer



By GRACE THORNCLEIFFE

FINE FABRICS simply styled, is always a good fashion formula and one that is frequently encountered in clothes designed for late summer and early autumn. It is used for this dress of fine beige satin, a dress that can go anywhere with perfect aplomb. The bodice is buttoned snugly and seemed to mould the figure below a small collar. The sleeves are short and easy. Unpressed box pleats form the skirt and there is a draped wide belt that buckles at the back.

RED RYDER

Not So Dumb

Have a Chic-Looking Hairdo



This chic-looking coiffure is the result of a haircut that encourages even the straightest hair to curl.

By HELEN FOLLETT

WHEN you have a brand new, chic and becoming hairdo, you have the satisfaction of knowing that you look your best. A careless, scrambled coiffure marks a woman as lacking in refinement. Any man will tell you that he sizes up a girl by the state of her head—inside, of course, as well as outside. How she looks and what she says tell what kind of a girl she is.

There are women who make it a practice to have short hair in the summer season, to let their wool grow in the winter time. That gives them a pleasant change twice a year that is somewhat exciting. This season's clipped styles are exceptionally clever. A few soft, wide wave lines with the rear portion curled under. Or petals all over, making one think of the older pineapple style. Or soft ringlets swept forward into a short bang.

Young girls are going in for bangs in a big way, as you may have noticed. Whatever style you adopt do not forget that the mode is intensified by tresses that are alive, healthy, gleamingly clean. Unless they shine

you can know that it is time for your head to have a ducking. One dusty day can lay on a dull film. Getting the hair wet while you are swimming is likely to gum the shafts together, so that more frequent shampoos are necessary.

Whatever builds for the health generally will add to the health of the glorious crown. Loss of sleep will thin it, as will a diet that is not properly balanced. Outdoor exercise helps because it keeps the blood streams galloping. It is from the blood streams that every little silky shaft gets food and drink.

Brushing is essential. That is where most beauty seekers fall down. It takes a little time, but what of it? Get a high grade brush. Take a strand at a time, place the bristles close to the scalp, sweep downward with a shimmying motion of the brush. You will not only remove surface dust, but you will stimulate the growth.

For your hair to look its best a good haircut is important. If your hair is straight, it can be trained to wave by proper cutting.

BOYS' AND GIRLS' MAGAZINE

The Pool Was Very Crowded

—Some Boarders Moved in With the Goldfish—

By MAX TRELL

KNARE, the shadow-boy with the turned-about name, came into the house looking for his sister Hapid. He found her at last sitting in the attic, looking through some old books.

"Suzanne and Alphonse want to see you," said Knarf.

"They do?" said Hapid in surprise. Suzanne and Alphonse were two goldfish who lived in the aquarium that stood in the window of the playroom. Now that it was summer, they had been moved out to the garden, to one side of the stone steps, where they had a pool of their own. "What do they want to see me about?" she asked.

"Well," said Knarf, "they're not very happy in their pool. They want to see you about getting them moved into a bigger place. They just saw me about the same thing."

Plenty of Room

Hapid said: "I don't understand. Knarf. They have plenty of room in their pool. It's ten times as big as their winter-aquarium. It's wider and longer and deeper. I never heard them complain about not having enough room before."

"They've got boarders," said Knarf. "Boarders! You mean, other fish are living with them?"

"Not other fish," said Knarf. "Different kind of boarders. The whole pool is crowded with them."

"What kind of boarders?" Hapid demanded. "Who are they?"

"Frogs," said Knarf. "Frogs don't take up any room! They just jump into the water and out again! If it's the frogs that Suzanne and Alphonse are complaining about, I think they're very wrong."

"It just started with the frogs," Knarf went on. "All of a sudden one day Suzanne and Alphonse found a lot of eggs in the water."

"Eggs?" said Hapid. "What were eggs doing in the water?"



Hapid spoke to Suzanne and Alphonse.

"They weren't regular eggs. They were frog's eggs."

"Oh!"

Turned Into Tadpoles

"They turned into tadpoles—hundreds of them. The whole pool is full of them. There's hardly any room left for Suzanne and Alphonse. And now," added Knarf, "they want to see if you can find a bigger pool for them. Because there isn't enough room for all of them."

Hapid went down to the pool and spoke to Suzanne and Alphonse. But she didn't find them a bigger place to swim in. She didn't even try to. "Just wait a little while," she told them. "All these tadpoles will turn into frogs. And when they do, they'll just jump into the water and out again."

So Suzanne and Alphonse agreed to wait. But even so they weren't too happy. It wasn't much fun bumping into a tadpole every time they went for a swim. And if there's anything that two goldfish like to do, it's to go for a swim.

What Do Your Words Say?

WORDS have familiar dictionary definitions, but they "say" far more than that. They have a deeper meaning which depends on the tone of voice, the emotion you put into them for that inner quality which gives them value.

Say "Thank you" to someone in a grudging, half-hearted way and notice the reaction. Then say it in a friendly, enthusiastic tone and watch the effect. They're the same words, with exactly the same spelling and definition, but they certainly don't say the same thing, do they?

Jimmi does something that makes you mad. Then he says: "I'm sorry, Bill." With a disarming grin. You're still sore and you grunt: "Okay, forget it." What happens? You know! It has happened to you. But when Jim does the same thing to Tom and comes up with his "Sorry, Tom," Tom grins back and his friendly "Okay, forget it, Jim" makes everything right between them. The words were the same, the difference was in what the tone and the emotion made them say.

That is why it is up to each one of you to know what your words actually say. Try putting friendliness, sincerity, and happiness into every word you say today and see what a wonderful, full-of-fun day you will have. Watch your tone, give a constructive emotional value to your conversation, and check results.

What you let your words say can put you on the road to happiness and success, or make you a failure. What are YOUR words doing for you?

Rupert & Ting-Ling—28



Reaching a rock on top of a slope, Ting-Ling peered on and saw Rupert to get the bamboo whistle out of the basket. Then he starts to play quite a different tune. "For a time nothing happens." "It is the new game he wants to show me. It's a queer one," thinks Rupert. "There's not much in it, and it's certainly not very funny." Then he stares into the valley and gives a shout. "Hi, look, there's some smoke. Is the forest burning? Has that magic of yours set it on fire?"

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WORLD NEWS IN PICTURES



HIGH PRICES IN FRANKFURT—Frankfurt citizens take a lot of time to examine brushes, shoelaces, pots, toothbrushes and other necessities which can only be found in Germany's black market. Prices are high, but they purchase the goods when they have to from the out-in-the-open black marketeers. With different forms of currency in circulation and fluctuations in value, buying anything in Frankfurt is quite a problem. Almost anything can be bought for a price in these illegal, but highly profitable, business ventures.



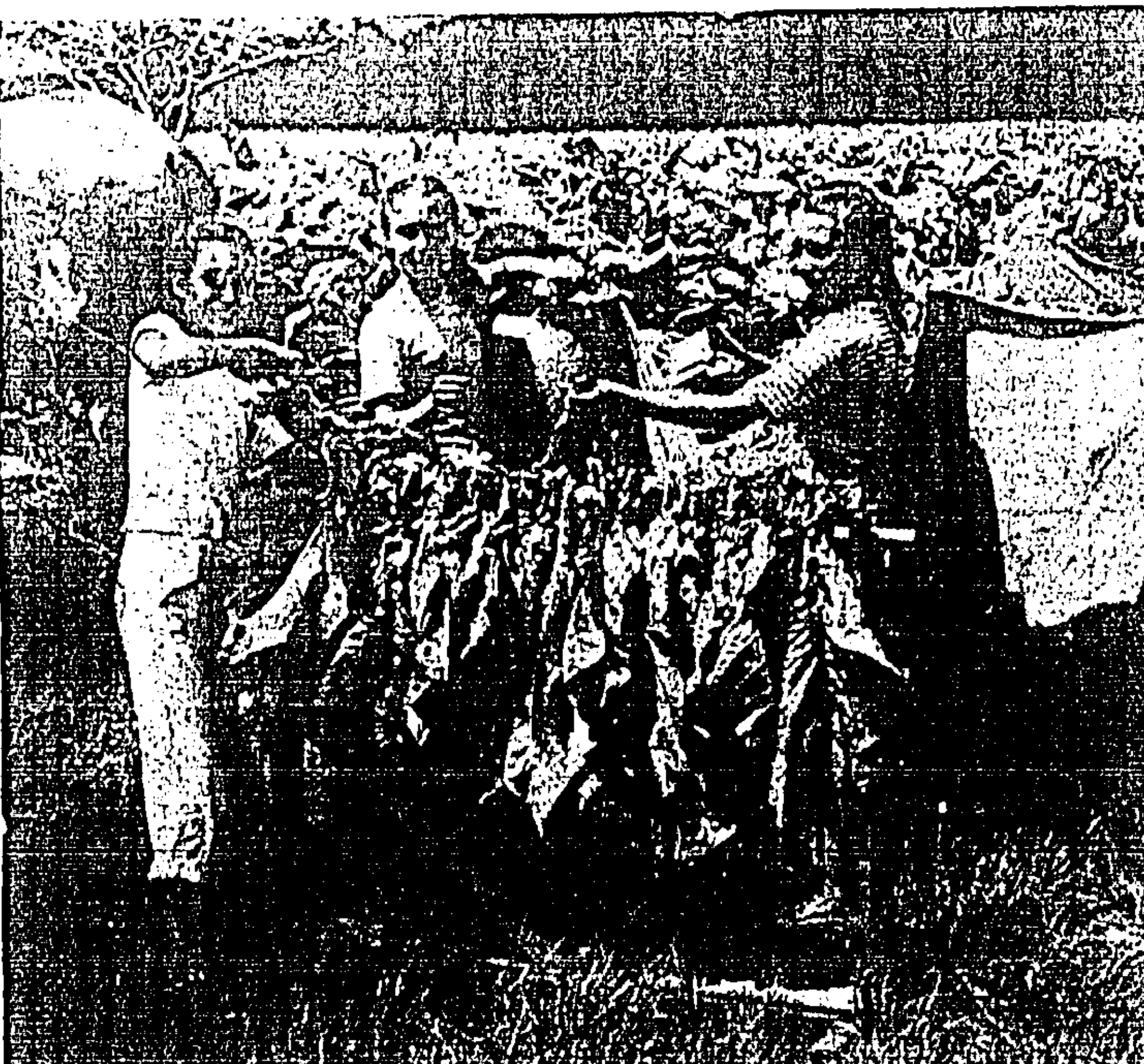
ISRAELI REVIEW—In one of his first public appearances, Menachem Beigin (wearing glasses) reviews these young members of Irgun Zvai Leumi during a parade in Jerusalem. The leader of the former underground organisation, charged with many terrorist activities, bitterly opposes the Provisional Government of Palestine and proposed demilitarisation.



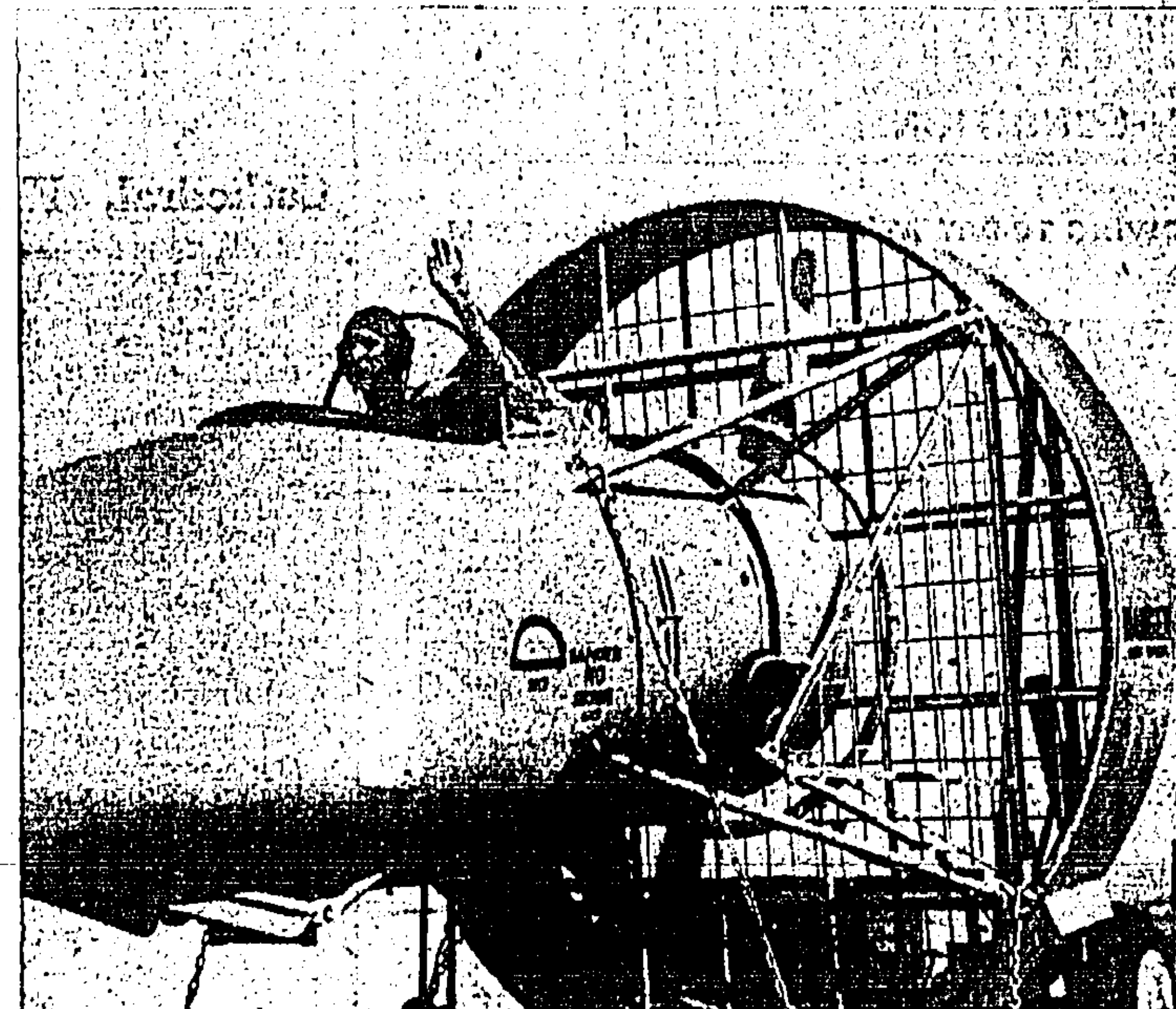
AID FOR TURKEY—This road in Turkey, barely wide enough for two vehicles, is one of the routes to be modernised through the U.S.\$5,000,000 grant rendered the Turkish Government by Washington. Twenty engineers were also sent over to help modernise the highways, a task which will take about 10 years.



TOURING EUROPE—Jeanne Merrill of New York and Mary Cullen of Cincinnati awake after a good night's sleep on the banks of the Seine in Paris. The girls are touring Europe on bicycles to gain material for a book they intend to write.



TRIPLET FARM TEAM—These triplets—Jane, June and Joan Garner—are learning their dad's business from the ground up. During summer vacation they are working on his tobacco farm in Cartaret County, North Carolina.



THAR SHE BLOWS—Originally built to fight the Japs, this 450 horsepower motor now whips up the biggest wind in the motion picture industry. A Hollywood studio bought the surplus fighter plane, clipped its wings and converted it for tornado duty. With "pilot" Hank Vadare at the controls, the machine can be taxed on to a scene and set to blow at any velocity.

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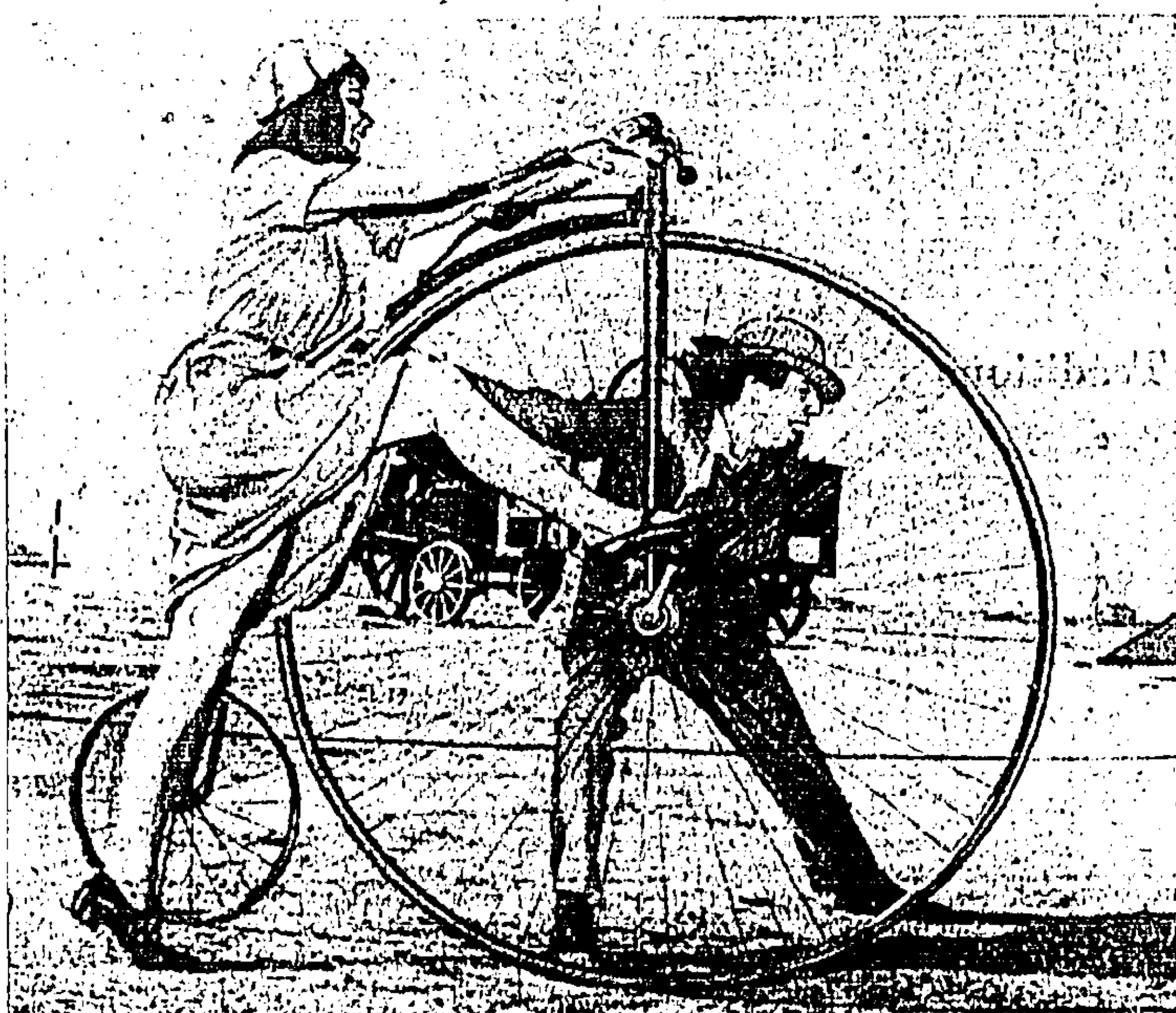
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BIG STRETCH—Wondering how grandma did it, Beverly Stone barely manages to climb aboard this old-fashioned cycle even with helpful aid of Eric Russell. Modern miss with ancient cycle was caught in action at Chicago's Railroad Fair.

DRINK AND FOOD COMBINED



One virtue of Tennent's Beer is that it is a particularly pleasant beverage. But it is also an important item of diet. Made with barley, and hops, and yeast, Tennent's is nourishing and an aid to digestion. It is also a source of energy . . . it increases vitality . . . and it improves the appetite. Drink Tennent's OFTEN. It is drink and food combined.

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Naval Dockyard Blaze

the Board had no power itself to act upon it and that the action to be taken by others was discretionary goes more to the question of whether the decision was judicial in law and I will deal with it under that head. The questions remaining for discussion therefore are Nos. (i) and (v) above and I will take them

TRIBUNAL FACTORS

In deciding whether the decision before the Court is deemed to be judicial so as to support a plea of res judicata, it is necessary to have regard firstly to the nature of the tribunal which pronounced it and secondly to the nature of the decision itself. Both must be judicial if the plea is to succeed. Judicial tribunals are not limited to what are usually called Courts, whether of record or not, but include all persons or bodies who exercise judicial functions by process of law, permanently or for particular cases; the latter is most frequently derived from statute, but custom, common law, charter or any other source recognised by law will suffice.

recognised by law will suffice. Spencer Baines does his work on the basis that he does not attempt definition of "judicial tribunal" or of "judicial functions", but contents himself with a classification and enumeration ranging from the very highest courts, the High Court of Parliament and the House of Lords to the "domestic forum" which is not to be confused with drawing authority from a Court order, statutory provision or consent of parties. He states (at page 17) that there are extremely few cases where an English civil authority has been held not to be a judicial tribunal. The essential requirements will appear from a summary of the decided cases, but the tribunal must be invested with authority to exercise the right or duty of deciding a question which touches or involves the rights or persons of persons or classes of persons. In its proceedings it must adhere to any directions of authority; statute is to be taken as a precedent that no procedure as laid down must adhere to the principles of a judicial officer.

TRIBUNAL'S POWERS
The Tribunal at present under consideration derives its authority from its regulations made under the Police Force Ordinance, 1932, which have the force of law. They authorise the appointment of the Board, after prima facie case of disciplinary nature has been found by the Commissioner, "to hold and conduct a disciplinary enquiry"; it is empowered to read charges to a defendant and to take his statement to hear the prosecution and defence and record its findings on the charges. It has no connection with the penalty but forwards its findings to the Commissioner.

to the Commission for the plaintiff has no authority to distinguish between a breach of discipline and misconduct (which are separately referred to in Sections 15 & 163 of the Public Force Ordinance, 1932) dealing with punishment and dismissal) and to raise an objection to the jurisdiction of the Tribunal to decide the matter which was before it. There seems no doubt therefore that the Board was a judicial Tribunal and was authorised by law to decide questions relating to the parties and to make a finding thereon. It was required to proceed in a judicial manner, giving full right of being heard and of cross-examination to each side. There is ample authority to say that the absence of the power of dismissal with loss of emolument is not a bar to a finding of guilt. See *Leeson v. General Medical Council* 33 Ch.D. 360.

The next point for consideration is whether the finding of the Board was a judicial decision, which declining by Spencer Bower at page 17 for the purposes of estoppel "a decision or determination on the adjudication of some question of law or fact, whether such decision take the form of an express judicial declaration or is necessarily involved in the command or prohibition which constitutes the judgment, and its coercive or operative aspect." The finding of the Board would appear at first glance to fit naturally enough into the first part of this definition. It is an express judicial declaration or judgment upon a question of fact, or possibly mixed fact and law. It is however challenged as a judicial decision on the ground that it is only a verdict not followed by judgment; a mere report for the information of the Commissioner of Police. This is the question argued by counsel as a matter of finality.

It is true that the only function of the Board is to hold something in the nature of a trial of a person against whom a disciplinary charge has been made and to return a finding on that charge. The object of the proceeding in the case of a sub-inspector is not to punish but to determine his guilt or otherwise of a breach of discipline as a preliminary to inflicting a penalty. That might be inflicted by the Commissioner under section 155 of the Police Force Ordinance, 1947, and the option given by the regulations to the Commissioner of forwarding the proceedings with his recommendations to the Governor, indicates the intention that the procedure is to be used as a preliminary to dismissal under section 10 which, unlike the preceding sections, relates to inspectors as well as sub-inspectors. I can discover no other purpose of the Ordinance which would be served by sending these papers with recommendations to the Governor and therefore reading the Ordinance and Regulations together, it is clear that this is the prescribed procedure in case of dismissal of officers of that rank. The essential purpose, however, extends only to the finding of the Board and not to the decision of the Governor.

Of the cases cited by counsel for the plaintiff in this objection, that of O'Connor v. Malone 7 E.R. 814 is authority for saying that in a new trial of an issue the previous verdict cannot be given in evidence even though it is not set aside. At page 823 of the judgment of the Chief Justice, it is said: "It is a well-known rule of law that a verdict is a judgment, and there is no evidence at all; the reason being that there is nothing to show that such verdict may not have been set aside, or may not have been accepted by the Court." That is the case here. I do not agree with counsel for the plaintiff that the Commissioner could refuse to act upon the finding of the Board. He had a discretion as to his action but he may exercise it on the finding; the ordering of the regulation is mandatory; he may by his award or take any alternative course prescribed. *P. v. Inhabitants of Wandsworth* 106 E.R. 23 seems to me to have turned on the recording or entering up of the decision in favour of one party or the other as a matter from the passing of the sentence. Counsel for the Board to a Coroner's enquiry the verdict of which cannot form the basis of a *res judicata* plea. The latter however is in a special position though no person is prejudiced if it with an officer is regarded before it is brought in a verdict against a person who has not even been heard. Its decision is in no way conclusive.

THE DISTINCTION

Further cases similar to those quoted are set out in *Spencer v. Power* at page 100 of *X* and the distinction is then applied to the note.

"In such cases, the verdict is no more operative as a decision, than if a judge were to announce that he had found certain facts, and were to reserve his judgment on the legal result of the facts found, for further consideration and argument." I think there lies the distinction—the Court in such a case has not completed its function; the final decision is still uncertain, and by "final decision" I mean the decision of the question to arise before the Court as distinct from sentence. The Board has fulfilled all functions entrusted to it by law—the question it had to decide was decided in full and irrevocably. Although desirous to determine a question affecting the rights of the proceedings of the Board were clearly analogous to criminal proceedings—a charge was preferred and guilt decided. It is therefore interesting to note that a valid plea of *nutufores* could only be made although no sentence has been pronounced. *See* *S. v. Shikongo* (1937) 1 K. B. 656. In this case was a plea of *nutufores* from R. v. Hertfordshire Justices (1911) 1 K. B. 612 on the ground that in the latter there was no adjudication by the Justices. It is the adjudication which is the basis of the estoppel in *nutufores* acquit of conviction and the present case—where the adjudication was complete—all that remained was for sentence to be passed.

ANOTHER ASPECT

Another aspect of the matter of finality as argued by the learned counsel is said to appear from the consideration of these cases concerned with dismissal of various officials by domestic forums and removal of names from the Medical register by the General Medical Council. Examples are *Davy v. Ebor*, E.R. 669, *Hayman v. Rugby School*, E.R. 109, *Raymond v. Grindon*, E.R. at 1106 and *Hill v. Clifford* 1912, 2 C. 336. It is submitted that the tribunals in these cases, which incidentally are relied upon by the Crown as supporting its case, were counsel called in the absence of finality in the authorising charters or enactments; in other words the themselves are authorised to dismiss. I confess that I am unable to see how that differs in principle from referring to a tribunal which has no jurisdiction. If the latter requisite improduct has occurred, leaving to the Crown the discretion as to whether the penalty of dismissal shall in fact be exacted. It is true that in some cases, such as the General Medical Council case, the tribunal is not empowered to dismiss, the tribunal's finding shall be final and conclusive. I do not conceive that this is vital, as there are many cases in which the enactment of words only create a jurisdiction to decide a certain question without involving the jurisdiction to interfere in exercise of that jurisdiction. It can be relied upon as res judicata in any other court or tribunal. For example, in the case of *Spackman v. Blumstead Board of Works*, A.C. 229 the House of Lords held that the mere words "and decided" in the Charter of the Board, "the superintending architect to the Metropolitan Board of Works at the time being" conferred on the gentleman, notwithstanding that he was an employee of a public body, having a connection with the matter a jurisdiction which was not subject to appeal and the exercise of which would be a bar to further consideration of the matter in Court.

JUDICIAL TRIBUNAL

Another submission by counsel for the Crown was that the proceedings of the Board were no more than an inquiry into the information furnished to the Crown and could not result in a judicial decision. In *Francis, Times & Co. v. Carr 82 L. T. at p. 702* Williams J. said: "There, far there, nothing to indicate that the enquiry is to be a judicial proceeding for the purpose of determining the position of, or the title to the goods in question. The court was asked to be a Court of appeal to the Sub-committee of the Government." *Dickson v. Cammenger 3 F. & F 527* was relied upon as an instance of enquiry which was followed by dismissal of a military officer, which was not a judicial enquiry. But in the former case, the Court

went on to consider whether the Court set up by the Sultan had in fact made a decision which was a judgment in rem irrespective of whether or not it was designed to inform the Sultan. In the latter, the Board was not set up to inquire into the conduct of a person subsequently found to be innocent, and more-
over, it was held that a judicial enquiry was unnecessary where dismissal was discretionary. It is a question of the nature of the enquiry in each case, and particularly where the enactment relied upon gives power to dismiss a person only for breach of discipline or for some misconduct, it is expedient to base dismissal upon a judicial enquiry.

The remaining question now to be decided was whether the judicial decision was, in involved, a determination of the same question as that sought to be controverted in the litigation in which the estoppel was raised." Looking at the decision of the Board and the present question between the parties, Mr. Boardman says that the Board's decision does not finally decide the whole question in issue, unless the power of dismissal given by section 16 of the Police Force Ordinance, 1932, is to be construed as empowering dismissal for any misconduct however trivial or slight. That of course may be so but he recalls that the Board had originally to the question decided by the Board and is therefore another issue. The Board's decision was that plaintiff was guilty of conduct of a certain kind; it is plain that it did not decide that it was conduct meriting dismissal, for that question was the province of the court. The Board's decision of Governor and a lesser penalty might have been inflicted.

It seems to me therefore that the pleadings raise two issues—firstly whether the plaintiff was guilty of conduct calculated to bring the public service into disrepute etc, and secondly whether, if so, that is conduct meriting dismissal. The Crown has not relied upon its 'special position' as such and the matter is therefore governed by the Police (Force) Ordinance 1952 and the contract. The construction of these documents may, dispose of the second issue in toto or may leave a question of degree of misconduct to the Court, in any event to the present position is that on only one of the issues now before the Court was decided by the Board. The question is whether the plaintiff is estopped on this issue.

AUTHORITIES QUOTED

On principle it would appear that the following authorities are applicable to the facts of the instant case (at page 355) that:

"the estoppel precludes parties from withdrawing from contending to the contrary facts and issues, and the parties are, once having been distinctly put in issue by them, or by those to whom they are put in issue, bound to maintain on such issue joined, solemnly founded and assumed."

The question so answered is expressed at page 358 as follows:—

"Whether an allegation on record which is not controverted by the other party, is between the parties taken as true, and their pleadings, conclusive according to the facts stated therein, so that the parties respectively from assuming that fact, cannot be tried as a fact."

This case is referred to in the *Stem v. Xu* judgment at paragraph 10 of the judgment where a plea of res judicata could never be established. Sweeney Bower quotes the same case does not draw the distinction which is not material to the instant case. The instant system of res judicata is limited.

In Jones v. Lewis, 1919 1 K. at p. 345 Bankes L. J. said:—
"No question of fact which was directed in issue between the parties to action before Bray J., and which was decided by him, could be further litigated by either party. The question applicable to the present point decided by Bray J., whether it were a point of law or of mixed law and fact. But it is not a question of fact, and it is of reasons which led the learned judge to his decision upon the precise point. It does not bind the parties in a subsequent case."

1 CLEAR PRINCIPLE

Hullshom Vol. 13 at 444. It declares that the material facts alleged in a pleading are to be taken as true and admitted in pleadings, and facts so admitted in an issue, cannot be litigated again between the same parties. I consider that the principle is clear but have cited the authorities in view of the heading in *Moss v. Anglo-Egyptian Navigation Co. Ltd.*, 1 Ch. Appeals 108 which reads (in part) "The facts alleged in a pleading are to be taken as true on the ground of judicial notice, unless it avers that even-thing is in controversy as the foundation of relief was also in controversy in the former suit." In the first sight, this indicates a contrary view but an examination of the judgment of Selborne, L.J., in the cases cited, shows that the court was in opposition in *Hullshom Vol. 13 p. 444*. It makes it plain that nothing material is decided or intended that where relief is claimed in one case which is dismissed, and similar relief is claimed in a second case, the second judgment if the matter is thereupon in the second suit, is not (and should not have been) urged in the first suit.

DIFFERENT CASE
On this question of identity of subject matter the plaintiff relies also on the case of *Hindley v. Hunsan* 3 Q.B.D. 40. In that case, though a workman had previously been employed against his employer for wrongful dismissal, it was held that the employer was not precluded from recovering damages from a workman for negligently damaging materials. The basis of the decision is obvious—the first judgment was not to the effect that there had been no negligence at all but that there was insufficient to justify summary dismissal. That did

Flames and smoke leap high as the medical stores in the Naval Dockyard blaze. This graphic picture was taken at the height of the fire which occurred yesterday evening.—Photo by Ming Yuen.

Two Chinese robbers, armed with a dagger entered a cottage in the Fanling area possessed by Miss Grace Ezra on Monday night and bound up an old Chinese housekeeper and her young servant with steel wires. They then proceeded to beat them up and threaten them, and escaped with all they possessed worth about \$20 in cash and goods.

Two Chinese women, walking along a highway in the New Territories on Tuesday evening were held up by two unarmed bandits, who forcibly searched them and robbed them of about \$55 worth of cash and jewellery. One of the women had a ring snatched from her finger.

A Chinese woman of 35 was instantly killed when a crowded bus and a motor lorry collided at a bend near the Un Long and Kan Pin crossing at about 6.30 on Tuesday morning.

Tuesday morning.
A Chinese lad was also seriously injured and is now in Kowloon Hospital.

S'hai Munition Dump Explosion

The explosion occurred when the explosives were being heated to a certain temperature to extract chemicals for use in the manufacture of dyestuffs.

The failure to follow instructions by workers set to watch the heating process to prevent the temperature rising higher than 110 degrees Fahrenheit led to the blow-up, it was

It was learned that 70 mortars were consumed in the explosion which wrecked buildings within a radius of over 500 yards.—Reuter

TEMPERATURE

New York, Sept. 1.—New Yorkers who sweated last week in a 100-degree temperature, awoke today in a chilly 42-degrees and which rose to slightly below 70 this afternoon.

According to the Weather Bureau the hurricane danger had passed but another minor tropical storm moving west from the Martinique region.—United Press.

preclude the employer from setting up the lower degree of negligence required to succeed in the second action for that had never been in issue. The present case is rather the opposite. Certain misconduct was established in the first action, the fact that it is still in issue whether that misconduct was sufficient to justify dismissal does not deprive the defendant of the benefit of which has already been litigated.

whether the plaintiff ought to be admitted to say that he was guilty of misconduct as set out in para. 7 of the Statement of Claim and on my view of the law I hold that he is estopped from so saying.

Mr Brook A. Bernacchi, instructed by Mr Y. H. Chan (T'el. and Ho) appeared for the plaintiff and Mr A. Lonsdale (Acting Solicitor General) for the 'Attorney-General' who was named as the defendant.

A Chinese girl of 20 attempted to take her life on Tuesday night by jumping from the ferry Night Star crossing from Hongkong to Kowloon.

A Chinese sailor passenger jumped in to rescue her, and having no knowledge of lifesaving, was grabbed by the girl who dragged him down with her.

Another Chinese sailor, seeing their difficulty, then jumped in and the two men managed to rescue her.

She was unconscious when landed on the jetty but artificial respiration was immediately applied and the

Promised H.K.

(Continued from Page 1)

the Chinese government for criminal prosecution, the spokesman said that

since those persons claim to be political refugees, the Chinese government would have to furnish reasonable proof that they are sought primarily for criminal and not political activities.—United Press.

OPPOSITION TO CHIANG
 San Francisco, Sept. 1.—Chinese Communists today proclaimed a "North China People's Government" in opposition to President Chiang Kai-shek's regime, according to

The Radio announced that the "People's Government" was formed on August 19 at the end of a 13-day session of the "North China Provisional People's Representative Congress."

capital at Yen-an, it was stated—
Reuter.

Island Volcano

Hongkong, to the effect that the Camiguin Island volcano was erupting and that streams of lava and severe tremors were endangering the island.

Camiguin is north of Luzon Philippine Islands.

Residents of Mandajao and vicinity are reported to have asked for ships to rush to their assistance requesting those ships with max-

requesting those ships with maximum passenger accommodation.

UNREST ON SIAM BORDER

(Continued from Page 1)

They suffered 239 casualties compared with 217 terrorist casualties. Revised figures stated that 139 terrorists had been killed and 138 wounded, with 2,725 persons d

The figures gave 131 civilians killed and 71 wounded in the same period, including 13 Europeans killed and six wounded.

Eight police were killed and wounded, and 11 special constables were killed and 15 wounded.

Among Army personnel, 11 were killed and 11 wounded. Five Royal Air Force men were killed.

Reuter.

KING'S

AIR - CONDITIONED

HELD OVER!!

TO-DAY THREE SHOWS ONLY
AT 2.30, 5.15 and 7.20 P.M.



HIS SWORD LAUGHED AT DANGER!
 HIS EYES DANCED WITH LOVE!

COLUMBIA PICTURES presents
 Robert Louis Stevenson's
The BLACK ARROW
 starring
 Louis HAYWARD - Janet BLAIR

— GALA PREMIERE —
TO-NIGHT AT 9.30 P.M.
 (ACADEMY AWARD WINNER)

In the guy who starts the trouble

In the gal who gets into it

Me, I don't like it a bit!



SAMUEL GOLDWYN
 Gives you another hit that's full of fun and surprises!

**CARY LORETTA DAVID
 GRANT · YOUNG · NIVEN**

Cary and The Bishop's Wife

with **MONTY WOOLLEY** · **JAMES GLASON** · **GLADYS COOPER** · **ELSA LANCHESTER**
 and **THE MITCHELL BOYCHOIR** · Directed by **HENRY KOSTER**
Screen Play by Robert E. Sherwood and Leonardo Barcozetti · From the Novel by Robert Nathan · Released through RKO Radio Pictures, Inc.

THE ROYAL COMMAND PICTURE

ORIENTAL

AIR - CONDITIONED

TAKE ANY EASTERN TRAM CAR OR HAPPY VALLEY BUS

SHOWING TO-DAY: 2.30—5.15—7.30—9.30 P.M.
 3 PROGRAMMES! NO ADVANCE IN PRICES!



TAKEN AT THE RINGSIDE!

**JOE LOUIS vs.
 JERSEY JOE WALCOTT**

OFFICIAL CHAMPIONSHIP FIGHT FILMS
RELEASED THROUGH RKO RADIO PICTURES



WALT DISNEY'S LATEST PRODUCTION!
"HAWAIIAN HOLIDAY" ... In Technicolor

THE ADVENTURES of TOM SAWYER



PRODUCED BY
DAVID O. SELZNICK
In Technicolor

ENJOY YOUR PICTURES IN COOL COMFORT!

SHOWING TO-DAY: **Cathay** AT 2.30, 5.20, 7.30 & 9.40 p.m.

**TREASURE... TEMPTATION...
 TREACHERY! HUMPHREY BOGART**

"One of the best things to come out of Hollywood since it learned to talk"
TIME MAGAZINE

"Headed straight for honors!"
NEW YORK POST



TREASURE OF SIERRA MADRE

WALTER HUSTON · TIM HOLT · BRUCE BENNETT · JOHN HUSTON · HENRY BLANK

Australians Hit Up 406 For 3 Against South Of England XI

Hastings, Sept. 1.—The Australians scored 406 runs for the loss of three wickets when stumps were drawn on the first day of their match against a South of England XI.

Bradman, making his only appearance at Hastings, scored 143 before he was caught, while Lindsay Hassett, the deputy captain, and Neil Harvey scored not out centuries.

The prospect of seeing Bradman score a century on his only appearance here drew an increased crowd after lunch. His century was duly reached in two and a quarter hours and received a great ovation from the crowd.

Hassett, although rather over-shadowed by his partners, plodded along steadily and reached his 50 out of 209 in a hundred minutes. The 200 appeared in two and three-quarter hours.

Bradman was out trying to pull. Bailey after having knocked the same bowler into the crowd for the first six of the game. He failed to connect properly and Mann, at mid-off, fell full length to hold the catch. Bradman's 143 included a six and 17 fours.

COMPLETES HIS 1,000

Harvey, who came next, completed his thousand runs for the tour before the tea interval.

He soon settled down after tea and scored rapidly. With four off Edrich and three off Mallett, both to leg, he sent his score to 25 in 20 minutes.

Perks then came on, but could not check the flow of runs. The 300 went up in just under four

TWO MORE FOR SOUTH AFRICA

The MCC have invited two more players for the tour of South Africa this coming winter, bringing the strength of the party up to 16.

The two new selections, both professionals, are W. E. Hollies (Warwickshire) and M. P. Tremlett (Somerset).

Both are primarily bowlers, although Tremlett is a useful forcing batsman.

hours and shortly afterwards Harvey made his individual 50 in 45 minutes.

Hassett came into the picture again by getting his century for a patient innings of three and three-quarter hours.

Harvey continued to play forward cricket and reached his century in as many minutes, and he and Hassett were still together when play ended after adding 169 for the fourth wicket.

THE SCOREBOARD

The close of play scoreboard read:

Australians: First Innings	
Burnes & Griffiths b Bailey	13
Burnes & Edrich b Mallett	13
Bradman c Mann b Bailey	143
Hassett not out	130
Harvey not out	105
Extras	9
	406 for 3

25 Starters For St. Leger

London, Sept. 1.—The English Derby winner, My Love, and 24 other horses were declared running today for Britain's richest race, the St. Leger stakes.

The one mile six furlongs 132 yard race, last of the year's triple crown classics, will be run at Epsom on Saturday, Sept. 11.

Topping the list of final acceptors were My Love, owned jointly by the Aga Khan and Parisien Leon Velez; Black Tarquin, American bred colt and King George's filly.

The winning owner of the world's greatest test of three-year-olds will get a purse of £15,368.

This is £1,209 more than the previous best prize paid to the Maharajah of Borok for Mr. Babu's triumph last May in the 2,000 Guineas, first of the Triple Crown Classics over one mile.—Associated Press.

CALLOVER POSTPONED

London, Sept. 1.—Tonight's call-over on the St. Leger was postponed until tomorrow because of the small attendance, this being attributed to the number of bookmakers attending dog race meetings.

Richard Carver, the Chantilly trainer, stated in Paris tonight that neither Mary Stuart nor La Verite will run in the St. Leger, and that his stable's only candidate will be My Love, who is very well and leaves for England on Friday.—Reuter.

SWEDEN CLEANS UP

Stockholm, Sept. 1.—Five jockeys of the Ulrikstad racecourse outside Stockholm have been disqualified by the Swedish Jockey Club after admitting before a police court that they had accepted bribes from their employers to hold back favourites in certain races.

The jockeys said that they engineered false starts, did not drive their horses fully and allowed outsiders to win after owners had backed them heavily.

The Jockey Club stewards stated that they had suspected the jockeys for a long time, but delayed taking action because they "camouflaged their tactics so cleverly."—Reuter.

Bowling to date:

Bailey	15	0	84	2
Perks	18	4	72	0
Mallett	23	4	77	1
Cook	24	4	67	0
Compton	7	0	43	0
Edrich	1	0	37	0
Darnett	3	0	17	0

MCC v. YORKS

London, Sept. 1.—Apart from the Australians' fixture the only first class cricket match today concerned Yorkshire and an MCC team at the opening of the Scarborough Festival, where the MCC batted all day to score 444 for 5.

The feature of the match was a third wicket stand of 276 in three hours ten minutes by M.P. Donnelly.

Football Transfer Market Quiet

By ARCHIE QUICK

Because professional football clubs had perforce by a new rule to pay last season's players their wages until July 1 for the first time in the history of the game, the transfer market was quiet during May and June.

Everyone, players and managers alike, was holding back, waiting to see which way various cuts would jump. But more surprising still has been the complete calm since July 1.

There have not been a half dozen notable moves. In fact, of greatest public interest was the announcement that Tommy Walker would leave Chelsea on December 29 and return to Edinburgh as assistant manager to Heston Middleton.

He left the Lions and went to Leyton Orient. Now he is back again in his old chair at the Den. He too is a manager with ideas. His place at Leyton has been filled by Neil McLean, whom the club has never had a greater centrist. I was instrumental in getting him from New Brighton to London as Hewitt's assistant.

Now he has taken over at Osbourne Road. When he arrived there last season, Orient were in the doldrums but Neil went to Scotland for Hewitt, made one or two judicious buys and Orient shot up the table with an unprecedented run of success. Another fine manager from the managerial side and doyen of them all is Fred Everist of West Bromwich. He has been with Albion for 50 years but he has now gone to a well-earned retirement and the job of secretary has been split. Hewitt's will not be the same without Fred, although I imagine he will find it hard to keep away from the spectators' seats.

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This Rover is easily second best man in the country after Tom Finney, and he was prepared to go from Ewood to Saint James but his wife, and the wife of goalkeeper Fairbrother, who was going to make the journey in the reverse direction, had other ideas.

So the deal has fallen through. Langton was going for £18,000 plus Fairbrother. Mrs. Langton too does not want to move to Ewood, who are also keen. Biggest London deal has been the buying of McDonald, winger of Bournemouth by Fulham for a five figure fee. I think he will make a great difference to the Craven Cottage side but I do not know what Second Division football Bournemouth fans will say.

The reason for an exceptionally quiet summer is that clubs realise that they can sell players for fantastic prices but cannot get anyone to replace them unless they themselves also pay through the nose.

As much interest is being taken at this Soccer season start in the movement of managers as there is in the transfer of players. New boy on the managerial side is inimitable Stanley Gullis, greatest centrist between the wars.

For so many years a loyal servant and captain of Wolverhampton, he took over the reserve side management last season and rocketed them to the top of the Central League from middle places.

He told me at a Newcastle Inter-league match he was being groomed for the Wanderers' managership and inevitably he took over from Ted Vizard during the summer.

I hope he brings the same thoughtfulness and attacking spirit into the Wolves as he did in his own play. Then there is the one and only Major Frank Buckley, himself former Wolves' manager, where he brought new ideas into the game.

He has moved out of Hull into Leeds and we shall watch curiously to see if he can put the United on their feet.

I have often said it is one of the curiosities of football that a city like the Yorkshire woolen centre cannot produce and support a First Division football club when it is so loyal to its professional Rugby and county cricket.

AT HULL

The vacancy at Hull was filled by Ralph Carter and, at Boothferry Park, England's star inside-forward will be given every opportunity to put Soccer on the map on Humber side by as progressive a board of directors as there is in the country.

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CRICKET IS HERE!

First sign that the cricket season is just around the corner is given by the announcement that the Kowloon Cricket Club nets are now up and are available for practice for members every day.

and Tom Pearce. Pearce's 134 included three sixes and 13 fours, while Donnelly was 208 not out at the close.

He completed his hundred in two and a half hours, 200 in four hours 20 minutes and has so far hit two sixes and 22 fours.—Reuter.

OFF TO AN EARLY START



Eugene Rinzansky, eight, on the right, youngest competitor in the Kowloon Chess Club's Children's Handicap Tournament, puts on his concentration frown against Champion John McLellan, 12, after a centre pawn exchange in the opening.

Looking on is the tournament's runner-up, Bruce Gordon, 13. Eugene finished in a tie for 9th to 11th place in the final standings out of 23 competitors. He tied with Andrew Yeung for first place in the under-ten group but won the playoff.—Telegraph Staff Photographer.

BASEBALL

Brooklyn Dodgers Make A Comeback

New York, Sept. 1.—Elwyn Preacher Roe, lanky left-hander, let Chicago Cubs down with only four hits today as he pitched Dodgers to a 5-0 win and stretched their National League lead to half a game.

Dodgers, still smarting from the double defeat by Cubs yesterday, got their chance to advance as the runner-up Boston Braves split a double header with Cincinnati Reds. Jackie Robinson spearheaded Brooklyn's nine-hit attack with two doubles.

Reds stopped Braves 3-1 in their first game at Crosley Field on Johnny Wyrostek's two-run homer in the sixth inning. Johnny Vandermeer, with the help of three double plays, was the winner and Warren Spahn the loser.

Braves finally got their "hitting shoes on" in the nightcap and blasted out 21 hits for an 11-1 win. Glenn Elliott, recalled from Milwaukee, was the winner although he pitched only three frames.

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OLYMPIC GAMES

HOW THE MERMAIDS FARED AT THE EMPIRE POOL

By "RECORDER"

If it wasn't for their sweep of the diving events, America's feminine aquanauts, despite their splendid victory in the relay, would have had to play second fiddle to Denmark in the Olympic Games swimming at Empire Pool.

Of the seven titles at stake, the American women took four, the Danish two and the Dutch one. It was a bad setback for the Netherlands, who were champions at Berlin twelve years ago. They missed a Mastenbrook and a Willy den Ouden.

In swimming alone, Denmark beat the United States 20-17 on the dual meet point score system. In diving, the American girls reversed the decision with a vengeance, 17-1.

One only of the old Olympic records, all of them set at Berlin in 1936, survived the onslaught. This was Rita Mastenbrook's mark of 65.9 seconds for the 100 metres free style, which was equalled by Greta Anderson.

The other old records fell so hard that it is difficult to conceive of a diver in the class of the girls at the Berlin Games, that their younger sisters should so play havoc with marks that were considered sensational only a short 12 years ago.

In the 400 metres free style relay, even fourth-placed Britain improved on the old figures. The first five broke the old record in the 400 metres free style, the first three in the 100 metres back stroke, the first five again in the 200 metres breast stroke.

THE SCORERS AT EMPIRE POOL

100 M. FREE STYLE

1. Greta Anderson (Denmark)	65.9
2. Ann Curtis (USA)	66.5
3. F. W. Carstensen (Denmark)	66.5
4. M. L. Vaessen (Netherlands)	67.3
5. I. Schumacher (Netherlands)	67.7
6. Karen Harup (Denmark)	68.1
7. I. Fredin (Sweden)	68.1
8. T. T. Temes (Hungary)	68.5
9. E. Ahlgren (Sweden)	68.3
10. Marie Coridon (USA)	68.4
11. M. A. McQuade (Australia)	68.5
12. P. C. Tavares (Brazil)	68.6

400 M. FREE STYLE

1. Ann Curtis (USA)	5:17.4
2. Karen Harup (Denmark)	5:21.2
3. Cathie Gibson (Britain)	5:22.5
4. Fernando Caroen (Belgium)	5:25.3
5. Brenda Helser (USA)	5:26.0
6. P. C. Tavares (Brazil)	5:29.4
7. F. W. Carstensen (Denmark)	5:29.4
8. Nancy Merkl Lees (USA)	5:31.9
9. Collette Thomas (France)	5:32.9
10. P. Nielsen (Britain)	5:40.4
11. Denise Spencer (Australia)	—
12. M. Bruggeman (Mexico)	—

400 METRES RELAY

1. United States	4:29.2
2. Denmark	4:29.9
3. Netherlands	4:31.1
4. Great Britain	4:34.7
5. Sweden	4:38.5
6. Hungary	4:44.8
7. Brazil	4:49.1
8. Argentina	—
9. Canada	—
10. Belgium	—

100 M. BACK STROKE

1. Karen Harup (Denmark)	1:14.4
2. Suzanne Zimmerman (USA)	1:16.0
3. Judy Joy Davies (Australia)	1:16.4
4. I. Novank (Hungary)	1:17.3
5. M. Gallard (Netherlands)	1:18.2
6. Muriel Mellon (USA)	1:18.2
7. H. M. Van der Horst (Netherlands)	1:18.3
8. H. A. M. Van der Horst (Netherlands)	1:18.7
9. Ngaitre Lane (New Zealand)	1:18.8
10. Monique Berlioux (France)	1:18.8
11. Barbara Jensen (USA)	1:18.8
12. D. Van Eckris (Netherlands)	1:19.3

200 M. BREAST STROKE

1. Nel Van Vliet (Netherlands)	2:57.2
2. Beatrix May Lyons (Australia)	2:57.7
3. Eva Novank (Hungary)	2:58.0

At dawn, the captain of the port of Cascais dispatched an aeroplane to locate the vessels which were later towed back to port. All three vessels were damaged.

In view of the gale, the officials have decided to sail today's race on Friday which was originally scheduled as a rest day.

Durward Knowles, said that his Gem II now is in no condition to race without excessive repairs. The Brazilian skipper of the Bug, Aires Costa, Jr., and the Italian, Franklin, pilot of Pollux, said that their boats also need repairs before they can be raced.—United Press.

The finalists are W. Williamson who beat J. Mount 22-10, J. Prentice 21-17 and L. L. Mills 21-14, and R. A. Edwards who beat R. H. Wild 21-17, A. W. Brown 22-18 and R. Phillips 21-19.

A keen game is expected as R. A. Edwards won the last Singles Championship of the Club in 1941.

The final of the H.K.C.C. Lawn Bowls Singles championship will be held at the Club to-day at 6.30 p.m. Mr. R. Davies will umpire.

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Germans Inaugurate Parliamentary Council

ELEVEN STATE PREMIERS SURRENDER MANDATES

Bonn, Sept. 1.—The Premiers of the 11 West German States today yielded up their mandates to the Constituent Assembly which met at the historic university city of Bonn to inaugurate the Parliamentary Council of German States.

The keynotes of the inaugural speeches were an affirmation of the indissoluble ties linking all Germans, "from the Saar to Breslau," and an appeal for peace among the great powers.

Dr Konrad Adenauer, leader of the German Christian Democratic Party, became the first President and Herr Adolf Schoenfelder, a Social Democrat, was elected Vice-President when the Assembly elected its Presidium before adjourning.

High political representatives of the Western occupation powers heard Dr Karl Arnold, Premier of North Rhine-Westphalia, make the opening speech in the Alexander Keonig Museum.

"There is no dispute among the German people on unity or partition," Dr Arnold declared. In a reference to the war, Dr Arnold said that, despite all the horrors the Nazi rulers had brought upon the world for which the Germans had sincerely atoned, Hitler was "not a typically nor exclusively German phenomenon, but rather the incarnation of the destructive spirit in Europe and the world."

Dr Christian Stock, Premier of Hesse, said that today, for the first time since the surrender, they were acting not under Allied orders but on their own initiative.

RED CAUSES SCENE

A scene occurred when the Communist delegates, Herr Max Reimann, "occupied" the rostrum before the Assembly voted on a Communist motion to kill the "discussion of a separate West German Constitution."

For some minutes, he shouted down the aged Provisional President, Dr Schoenfelder. The motion was lost. All the delegates opposed it except two Communists. Herr Reimann declared that the Council had no popular mandate and had been created "against the wishes of the majority of the people."

He was opposing a Socialist delegate, Professor Carlo Schmid, who said the Council was concerned with the "whole of Germany and all Germany ought to send representatives to it."

The five Berlin representatives took their seats amid general applause.

Calling on the members of the Assembly to give the German people "a true Magna Charta," Dr Arnold said: "The urgent reconstruction of Europe would receive an incomparable new impulse."

After electing its Presidium, the Assembly adjourned until next week.—Reuter.

Yard Searches For Plotters

London, Sept. 1.—Scotland Yard tonight would not confirm or deny reports current here that a woman may be the key figure behind a suspected new terrorist plot in Britain.

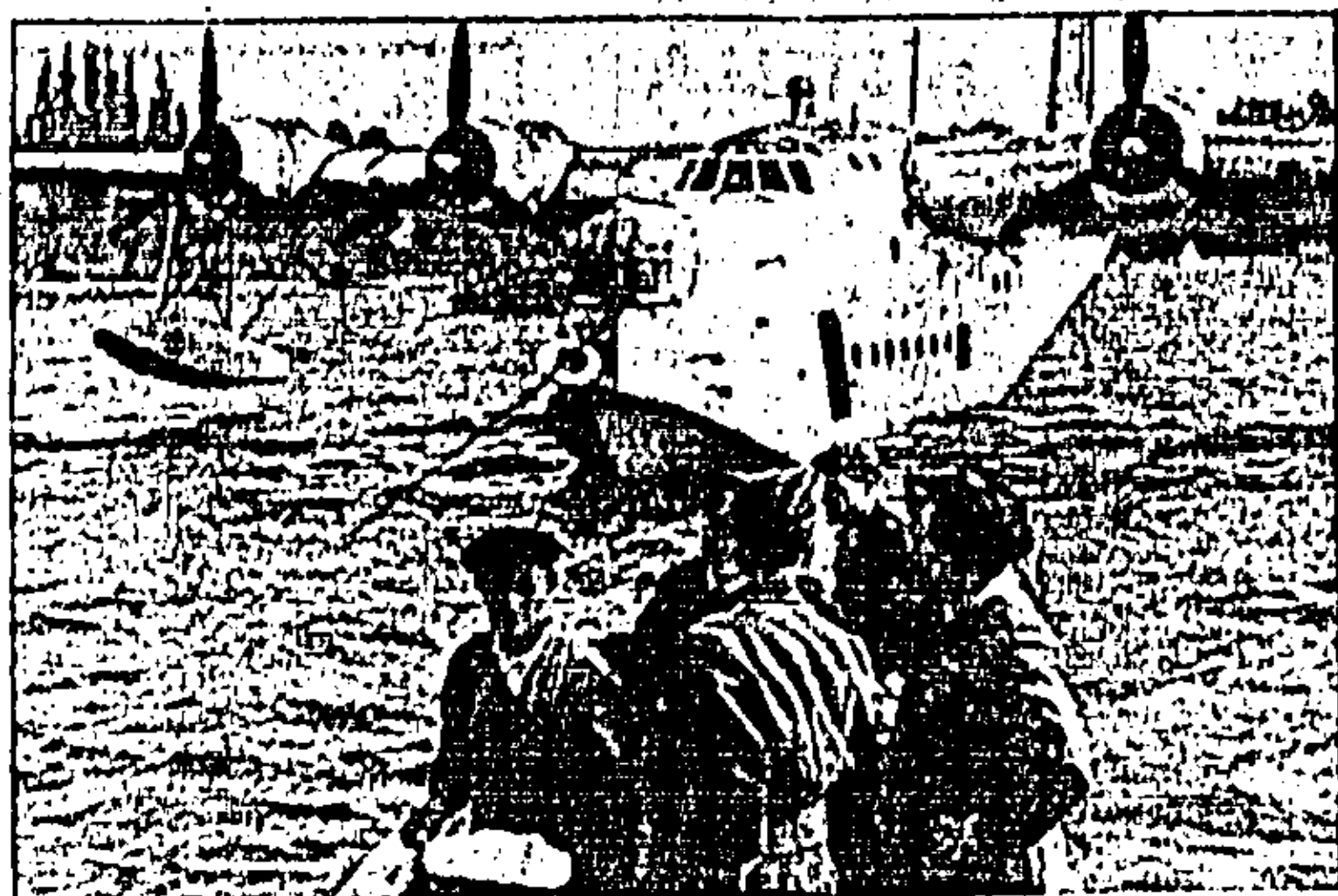
In a day of unusual activity detectives were believed to have conducted widespread searches for wanted men or women connected with recent discoveries of explosives.

New developments in their top secret operation were reported to have taken them to many points in the London area for interviews and statements.

Further precautions were being taken to prevent suspected persons getting out of the country by air or sea.

The investigations have now been at a critical stage for some days following tangible evidence of terrorist plans aimed probably at figures prominent in public life.—Reuter.

RAF Keeps Berlin Supplied



These two pictures illustrate the part that the RAF is taking in helping to keep blockaded west Berlin supplied with essential commodities. Top, the crew of the first Sunder-land flying-boat to land on Havel Lake being taken ashore, with their flying-boat in the background. Opposite, the Jim Foster of Brixton, London, cheerfully helps to unload sacks of flour from an RAF York aircraft at Gatow airport, Berlin.

10,000 DRIVERS ON STRIKE

Trucking Industry Crippled

New York, Sept. 1.—The strike of some 10,000 drivers crippled New York's intricate truck industry today, tying up delivery of food, furniture, textiles and other commodities.

As merchandise began piling up on railway loading docks, the Association of American Railroads ordered an embargo on incoming freight of most types, effective tomorrow.

Members of Local 807 International Teamsters Union, American Federation of Labor, refused to man their trucks this morning after members voted by a two to one margin to reject a 15 cents an hour wage increase.

Mayor William O'Dwyer summoned union and employer representatives to his office late in the day. Mr O'Dwyer feared that the walkout, which has already affected some 10,000 members of Local 807, might spread to include 30,000 other union men in the metropolitan area of New Jersey and suburban Westchester County.

NO FOOD DELIVERIES

A similar strike two years ago brought virtual economic paralysis to the city.

The first to feel the effects of the strike were three food chains. They reported that they had received no deliveries today, except fresh fruits and vegetables, which were handled by another union.

One chain had to close its bakery system because of its inability to move its products, and it turned over 25,000 loaves of bread to the City Department of Markets for distribution to City hospitals and charitable institutions.

Independent groceries were also affected, but virtually all reported their stocks sufficient for several days and said there had been no buying rush by housewives.—United Press.

Unenthusiastic Response

Washington, Sept. 1.—Only 11 of the American Republics of the 21 who attended the Bogota Conference have announced their intention to send delegates to a Latin American Commission to study the question of European colonies in the Western Hemisphere.

The Commission should have started work today if two-thirds of the countries attending the Bogota Conference agreed. Fourteen replies were needed, but an official of the Pan-American Union said that though the original deadline had been missed, the lists would remain open until more had been received.

Reports from Santiago stated that the Chilean Government had met to discuss the United States proposals for international administration of Antarctica.—Reuter.

Zhdanov's Death May Help To Heal The Tito-Kremlin Breach

result of the Yugoslav developments.

She claimed, they said, that Stalin himself told her that if Russia had known the extent of the support for Tito and the possibility that the Cominform blast might boomerang, then altogether different tactics for Yugoslavia would have been ordered.

In summing up the situation, one high-ranking Yugoslav official said recently that the breach between Russia and Yugoslavia could be closed only by a change in policy makers in one country or the other. In the case of Yugoslavia, that would mean the removal of Marshal Tito who has defied the Cominform

attacks and has met each blast with one of his own while professing loyalty to the Communist cause.

Possibly, in the case of Russia, the death of Zhdanov might help ease Eastern Europe's internal friction by removing a leader of one contending side.

Some of the British press speculated on the possibility Zhdanov's death might ease the tension and some even asked whether his death was in fact from natural causes.

But natural or otherwise, it would seem to provide a possible way open for Russia to patch up privately its differences with Yugoslavia, if it wants to.—Associated Press.



Effective Use Made Of U.S. Aid

Washington, Sept. 1.—The State Department today declared that nations receiving United States aid in the quarter ending March 31, 1948, have "used the supplies effectively and expeditiously" and "improvement is almost immediately evident everywhere."

The Department statement was made in connection with the third report to the Congress on the United States foreign relief programme transmitted to the House and Senate by President Truman.

In an accompanying press release, the State Department said that when the original foreign aid law was passed "it was hoped that the basic relief supplies made available to these countries by the programme would so strengthen their economies as to lead to general European recovery."

It added, however, that "this hope was not realized, and the disastrous European harvest of 1947 and its tragic consequences would have led to economic disintegration in some countries. To meet the situation the United States extended further relief through interim aid to enable the hardest hit European countries to hold out until the long-range recovery programme could get under way."

Countries receiving aid under these programmes were Austria, Greece, Italy, Trieste and China.

Congressional appropriations under both programmes totalled \$872,000,000. The report said that of \$7,000,000,000 foreign aid programme, country programmes approved totalled \$299,159,850, procurement initiated totalled \$206,310,595 and shipments made totalled \$274,258,015.

The State Department said, "Both programmes were confined only to basic essentials of relief. But what the two accomplished was out of all proportions to supplies which were made available. Not the least of results was the spiritual one—Europe looked with hope to a better future."

GREAT ADVENTURE
It concluded, "We are now embarked upon one of the great adventures in history—we propose that the 16 European nations' joint economic recovery programme be based on their own self help and mutual co-operation. In doing this we expect to strengthen the principle of individual liberty, free institutions and genuine independence in countries concerned."

"Above all, our efforts are directed to one overpowering objective—to win genuine world peace for ourselves and all peoples," the Department said.

The report on operations under the foreign aid programme said that during the quarter ending March 31, 1948, "military and economic conditions in China deteriorated considerably." It said that the Chinese Communist forces conducted their sixth offensive and in North China above the Yangtze, Communist military operations appeared to have reduced government control to a small fraction of the entire area. "The Communist control cut off Manchurian food and industrial production from the rest of China."

The report added, "The loss of agricultural areas in North China and effective control of rail lines further decreased the government's access to available economic resources there. These effects of civil warfare on China's economy seriously hindered economic rehabilitation and added fuel to inflationary conditions."

EXCHANGE SHORTAGE
The report also cited the shortage of foreign exchange and rapid spiral inflation as contributing factors to economic unrest in China. The report said, however, that the foreign

Commonwealth Prime Ministers To Meet

London, Sept. 1.—The Conference of Commonwealth Prime Ministers will open in London in the second week of October—if possible on Monday, October 11, it is understood.

The Conference, regarded in political quarters here as one of the most significant events of its kind ever held, will meet in private. The Prime Ministers and other leaders attending will report the proceedings to their respective Cabinets and, as may be deemed necessary, to the Parliaments of the Commonwealth countries concerned.

WHO WILL ATTEND

Commonwealth leaders expected to take part include Mr MacKenzie King of Canada, Mr Jawaharlal Nehru, Prime Minister of India, Mr Liaquat Ali Khan, Prime Minister of Pakistan, Mr Peter Fraser, Prime Minister of New Zealand, Dr Herbert Evatt, Australian Minister for External Affairs, representing Mr Joseph B. Chifley, the Prime Minister of Australia, who was recently in England; a representative of Dr Daniel Malan, the Prime Minister of the South African Union who, it is reported, is unable to attend; possibly Dr D. S. Senanayake, Prime Minister of Ceylon; and, it is hoped, representatives of Southern Rhodesia and Elire.

British political leaders who will take part in the discussions on a wide range of subjects include the Prime Minister, Mr Clement Attlee, the Secretary of State for Commonwealth Relations, Mr Philip Noel-Baker, the Foreign Secretary, Mr Ernest Bevin, the Chancellor of the Exchequer, Sir Stafford Cripps, the Minister of Defence, Mr A. V. Alexander, and the President of the Board of Trade, Mr Harold Wilson. As the Prime Minister, Mr Attlee, has already indicated in Parliament,

the proceedings will be informal. The Commonwealth countries have been consulted in advance on subjects they desire to discuss and exchanges are still proceeding.

10-DAY CONFERENCE
The Conference is expected to last from 10 days to a fortnight. It will be the first gathering of the kind in which the new and free independent Dominions of the Far East—India, Pakistan and Ceylon—have been represented.

No agenda will be published and little information is likely to be officially available on the progress of the talks. It can be assumed that matters to be covered in the exchange of ideas will include general Commonwealth economic, European recovery in relation to the association of the Commonwealth countries, the Berlin situation and the relationship of the four great powers to the United Nations questions, the situation in the Middle East, the Antarctic situation, and Commonwealth interests in the sphere of defence.—Reuter.

NOTICE

HOTELS RESIDENTS' ASSOCIATION

A General Meeting of the above Association will be held in the Green Room at the Peninsula Hotel, Kowloon, beginning at 9.15 p.m. today, 2nd September, 1948. It is hoped you will attend this important meeting, and bring with you any persons known to you who desire to join as members.

Agenda

1. Adoption of Rules & Regulations.
2. Election of Officers & Committee according to the new constitution.
3. Any other business.

Non-members are welcome, but will not be eligible to vote.

Joint Hon. Secretary.

THE HOTELS RESIDENTS' ASSOCIATION
29th August 1948,
Room 320, Peninsula Hotel.



17 Hankow Road, Kowloon
—TO-DAY ONLY—
at
2.30, 5.10, 7.20 & 9.30 p.m.

NEW CALL FOR TERRITORIALS

London, Sept. 1.—Mr Emanuel Shinwell, War Secretary, called for another 100,000 volunteers to come forward as leaders for Britain's new Territorial Army in a broadcast tonight.

He said: "The possibility of trouble breaking out in some part of the world is more likely than 12 or 18 months ago."

Owing to Britain's many commitments, the regular army was much too small and the Territorial Army must be built up to supplement it.

From 1950 onwards about 9,000 men every month would be leaving the Army and would do five years' service in the Territorial Army.

It was essential now before these National Service men entered the Territorial Army to form units and provide leaders.—Reuter.

DRAFTEES TO BE "SCREENED"

Washington, Sept. 1.—All men inducted into the United States Army under the new Conscription Law, as well as regular soldiers, will be "screened" to discover whether they are Communists or "fellow travellers."

High Army officers said today that "no loyal American" would be permitted to serve in the Army in any capacity. Others would be "not rid of" as quickly as possible.

Investigations have already begun into the loyalty of 25,000 Army officers, and those who fail to comply fully with the requirements of the investigations will lose their commissions.—Reuter.

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Copies of photographs taken by the South China Morning Post and Hong Kong Telegraph Staff Photographers are on view in the Morning Post Building.

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BIRTH

GRABHAM.—To Patricia, wife of Gerald Grabham, on September 2, 1948, at Kowloon Hospital, a son, David.

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Printed and published by FREDERICK PERCY FRANKLIN for and on behalf of South China Morning Post Limited at 1-3, Wyndham Street, City of Victoria in the Colony of Hongkong.